

**DISTRICT III ADVISORY BOARD
MINUTES**

Tuesday, October.5, 2000

7:00p.m.

Colvin Mini City Hall, 2820 S Roosevelt

Members Present

John Kemp
Bill Ward
Phil Bloomquist
Jim Skelton
Brent Turnspeer
M.J. Brown
Lois Ann Newman
Jim Gulick
Paul E. Davis
Matt Foley
Gene Fuhr

Members Absent

Phyllis Hall

Guests

Jody Bennett
Connie Rosenkrans
Jack Brown, Environmental
Dennis Degner
Jack Smith
Barry Carroll, Planning
Lucille Ackerman
Gary Robins
Marjorie De Moure
Francis M. Sills
Duane L. Jones

ORDER OF BUSINESS

Council Member Lambke called the meeting to order at 7:00 p.m.

Approval of Minutes

Council Member Lambke asked for approval of the September 5, 2000 minutes.

Minutes were amended to: 1) Change the spelling of **Gene Furh's** last name to **Fuhr**;

2) Item *114* of the General Agenda, OCI presentation was to also include **Jan Lister**, as neighborhood inspector. Changes were approved (Lambke/Foley) 10-0

Appointment of **Jim Skelton** as a new DAB III Member at 7:03 p.m. Pat Burnett, City Clerk, was present for the officials swear in of Mr. Skelton. **Council Member Lambke** then asked **Mr. Skelton** to join the DAB at the front table.

PUBLIC AGENDA

Mr. Duane Jones, 1530 N. Smith #504 asked to speak on the topic of the Northwest Traffic Study. Mr. Jones addressed Council Member Lambke and the DAB and handed them an evaluation form (reasons for not selecting the 13th Street site) taken from a special meeting of the *Orchard Park Neighborhood Association*. Knowing that Council Member Lambke will have to vote on this topic, Mr. Jones asked if the Council Member and the DAB would support their position regarding the *Northwest Traffic Study*. The neighborhood association is sending their representatives to all DAB councils to ask for support in recommending that 13th Street be **NOT** the site selected for a bridge

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to cross over the floodway. Mr. Jones thanked everyone for taking the time to listen.

Council Member Lambke thanked Mr. Jones for his presentation.

Recommendation: Receive and File.

Paul Davis, former CPO member asked about the *Traffic Ad Hoc Committee* and why it was dissolved. He explained that the below \$500 accident does not exist. Most accidents are over \$500. Mr. Davis said that the long form used for reporting traffic accidents was being avoided. Also in the committee meetings many valid questions were asked and now we may not get answers to those questions. **Council Member Lambke** commented to Mr. Davis to get on the Public Agenda at a City Council meeting and have the DAB if interested in pursuing this topic supports you.

PLANNING AGENDA

1. Ancillary Parking Lot at Harry and Green Street

Barry Carroll, MAPD, described the request and responded to questions. Mr. Carroll explained that MAPD staff was recommending approval of the request.

The applicant, **Jack E. Smith**, was present to describe the request and respond to questions. According to Mr. Smith, he is building a new building to the north of the application area and additional parking is needed. Mr. Smith explained that, in 1999, a tornado destroyed a building on the same site. Mr. Smith provided a site plan for the DAB Members' review. According to Mr. Smith, he is in the process of developing a revised site plan and will share the plan with the neighbors upon completion. In summary, Mr. Smith stated that the proposed ancillary parking lot would prove to be an asset to the neighborhood.

There were representatives present from the *Meade Neighborhood Association* who had previously voiced concerns at the September 21, 2000 MAPC meeting. In the interim, the neighbors met with Mr. Smith and reached consensus on this matter. The neighbors and Mr. Smith have agreed to the following: a) the property would be maintained and kept free of debris; b) the ancillary parking lot would be well lighted (but shielded from the adjacent properties); c) a trash dumpster would be located in the western part of the parking lot and screened from view; d) screening fences would be well maintained; and e) that existing plantings and landscaping, along Green Street, would be retained and maintained.

The DAB Members expressed the following: a) the applicant has, over the years, improved the area; b) the applicant has a proven neighborhood business "track record;" c) the applicant has expressed a willingness to work with the neighborhood; and d) the proposed ancillary parking lot would ultimately improve the

neighborhood.

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Recommendation: **(DAB members voted 10-0) Bloomquist/Dillard (Phil Lambke abstained) to recommend approval of the Conditional Use request subject to MAPD staff comments.**

BOARD AGENDA

2. Environmental Impact of Demolition and Construction C&D landfills in District III

Recently, the C& D landfill owned and operated by *Cornejo and Sons Construction* suffered a fire that caused serious burn injuries to one of the owners. The Fire Department investigated the fire and concluded that a "Hot Load" (smoldering materials) started the fire. This means that construction materials in the pit flared up. The investigation concluded that there is no evidence to suspect an arson fire, and also that the fire proved no effects to the environment.

Jack Brown, Environmental Director, explained that there was much controversy about the development of this C&D landfill. On-going monitoring of the wells and ground water is sampled through the Health Department every 6 months. At the last sampling, there was no ground water contamination. C& D means no garbage waste and only materials from home constructions is allowed. No hazardous material (paint, gasoline and heavy metals) is allowed. The Cornejo site is in compliance.

Member Turnspeer asked how do we know they are in compliance? **Mr. Brown** answered that testing had just finished and he would provide results of the testing to the DAB.

Member Kemp asked when would the air be monitored? There are lots of elderly people in this area and the amount of dust in the air is dangerous. There have been 5 people die in the last 6 months in his neighborhood association boundary. The rock crusher that is used, weekend traffic and motorcycles is a major factor of dust.

Mr. Brown responded that all the activities in the area have permits and are in compliance. The Health Department monitors the air in the area and has found no violations. Also, Mr. Brown stated that dust is hard to deal with.

Citizen **Jody Bennett, 1709 E. 48th S.** asked if asbestos could be dumped? How do we know what is being dumped in this landfill?

Mr. Brown again responded that the monitoring does not reveal any violations and if illegal materials were being dumped, this would show in the testing.

Member Bloomquist, asked who makes the regulations that certain conditions should be met? Is it the City or the employee working in the site?

Mr. Brown said that there were multiple sources, one is the operator of the landfill. Also the state.

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How long will the landfill be there asked **Member Turnspeed?**

Mr. Degner responded the C& D Landfill would be in operation until April 2003. The rock crusher will be there forever.

Member Foley stated that this business should be encouraged to be conscientious of the neighbors and how the business affects them.

Mr. Brown agreed to this statement and asked if the issues are groundwater, fire, and dust. In the year 2003 the citizens should voice their concerns and frustrations. Also, inquiring if this business has been in compliance with their operations.

Council Member Lambke said maybe the City should look at stricter standards.

Mark Bradberry, Local KDHE officer commented that monitoring is being done in many phases. All data is falling into EPA protocol. We do depend on citizens to call us if the dust is severe, that is the only way for us to document. With dust, it is hard to find the exact violator.

Mr. Brown commented he would do some review and return to the DAB with answers to these questions.

Phil Bloomquist (Kemp) made a motion. Due to information based on facts of two previous CPO's and now the DAB. I move that the DAB III take a field trip to the Comejo C&D Landfill. This is in order for the DAB to review original conditions of the landfill. Appropriate city departments, local and state environmental offices and KDHE need to be included in this field trip. This trip is to be funded by the City, including a permit to allow entrance to the property. (10-0)

3. Presentation on Capital Improvement Projects was postponed until November meeting.

4. Problem Properties

- Stop signs needed at Broadway at Harry and Mead and Harry, too many accidents.
- Bayley Street close to River/Palisade. Mowing is needed. Trash bins also.
- Trains crossing Bayley Street are taking too much time for fire protection.
- What about the trees that would be given to our area on City easement?

With no further business, the meeting was adjourned at 8:52 p.m.

Respectfully Submitted,

Tern Dozal, District VI Neighborhood Assistant